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Social and human rights questions: implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

Social and human rights questions: implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and preparatory process for the World Conference

Report of the Secretary-General

I. Introduction

1. The present report has been prepared in response to the request of the General Assembly, in its resolution 54/154, that the Secretary-General submit each year to the Economic and Social Council a detailed report on all activities undertaken to combat racism and racial discrimination by United Nations bodies and specialized agencies, with an analysis of information received on such activities.

2. Pursuant to Commission on Human Rights resolution 1998/26, the Office of the High Commissioner for Human Rights (OHCHR) has focused the activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (1993-2003) on the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held from 31 August to 7 September 2001 in South Africa. The present report contains information on that process.

3. On the basis of the General Assembly's request for information, OHCHR sent a note verbale to United Nations bodies and specialized agencies requesting information on their activities to combat racism and racial discrimination. As of 15 May 2001, replies had been received from the following United Nations bodies and programmes: International Labour Organization (ILO), United Nations Population Fund (UNFPA), United Nations Educational, Scientific and Cultural Organization (UNESCO) and Office of the United Nations High Commissioner for Refugees (UNHCR).

II. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

4. In resolution 52/111 of 12 December 1997 the General Assembly decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001 and established the definition of objectives

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and the guidelines for the preparatory process. Having decided that the World Conference should be action-oriented, the General Assembly also proposed practical measures to combat racism. At its fifty-sixth session, the Commission on Human Rights, in resolution 2000/14 of 17 April 2000 on racism, racial discrimination, xenophobia and related intolerance, welcomed the offer by South Africa to host the World Conference. The Government of South Africa has announced that the Conference will take place in the city of Durban.

5. The main themes of the Conference are:

(a) Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance;

(b) Victims of racism, racial discrimination, xenophobia and related intolerance;

(c) Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels;

(d) Provision of effective remedies, recourse, redress and other measures at the national, regional and international levels.

A. Regional expert seminars

6. Pursuant to paragraph 65 (b) of Commission on Human Rights resolution 1999/78, OHCHR convened five regional expert seminars around the world as part of the preparatory process for the World Conference against Racism. The objectives of the seminars were to:

(a) Discuss issues of racism, racial discrimination, xenophobia and related intolerance which were of priority concern but not limited to the region in question;

(b) Move forward the complex dialogue on racism and recommend practical solutions;

(c) Encourage people to start thinking regionally about the issues and their solutions;

(d) Raise awareness and tolerance and share information in the region on the issues of racism and intolerance;

(e) Share "best practices" against racism and related intolerance;

(f) Get Governments, regional organizations, national institutions, non-governmental organizations and civil society involved in preparations for the World Conference;

(g) Submit reports to the second session of the Preparatory Committee of the World Conference, to be held from 21 May to 1 June 2001, and to any other relevant national or regional meetings.

7. At each seminar, a panel of experts from the region and some international experts presented papers, followed by a discussion. Accredited observers and the experts themselves also discussed matters that they considered relevant and important to the specific items on the agenda. The seminars were attended by observers representing Member States, national institutions, relevant United Nations bodies and programmes, intergovernmental organizations, and non-governmental organization communities.

Expert Seminar on Remedies Available to the Victims of Acts of Racism, Racial Discrimination, Xenophobia and Related Intolerance and on Good National Practices in the Field (Geneva, 16-18 February 2000)

8. The first seminar for the Western Europe and other States Group was held at the United Nations Office in Geneva. The seminar discussed recourse procedures for non-citizens, migrants, asylum seekers and refugees, indigenous peoples, children, young people and women, and it considered some good national practices.

9. The recommendations of the seminar touched upon the procedural and substantive aspects of remedies — monetary and non-monetary as well as judicial and non-judicial — and recourse procedures. The seminar recommended that national institutions and ombudsmen be reinforced, since they were vital to protecting not only victims of racial discrimination but also other victims of human rights violations. (See A/CONF.189/PC.1/8.)

Expert Seminar on the Protection of Minorities and other Vulnerable Groups and Strengthening Human Rights Capacity at the National Level (Warsaw, 5-7 July 2000)

10. The Warsaw seminar paid special attention to racial discrimination in Central and Eastern Europe which often affected national minorities. Racial

discrimination in the region had often taken the form of anti-Semitism, discrimination against minorities such as the Roma, and discrimination against Muslims. The seminar noted that, although many constitutions prohibit discrimination in general and guarantee equality, Governments in Central and Eastern Europe had yet to follow through on many of those constitutional promises by enacting implementing legislation. It encouraged Governments to enact comprehensive legislation specifically prohibiting forms of discrimination and to provide civil and criminal remedies in all sectors, including public life, education, employment, health care and social services. (See A/CONF.189/PC.2/2.)

Expert Seminar on Migrants and Trafficking of Persons, with Particular Reference to Women and Children (Bangkok, 5-7 September 2000)

11. The presentations and discussions at the Bangkok seminar focused on the particular issues and vulnerabilities of women and children. The preventive and rehabilitative role of non-governmental organizations and civil society was emphasized. The seminar noted that there was a critical and close relationship between the movement of people and discrimination. It also concluded that certain women were subject to abuse in larger measure than others on account of racial attitudes and perceptions.

12. The Bangkok seminar recommended that States adopt plans of action, develop guidelines, and cooperate with each other to eradicate discrimination against migrants and trafficking. Some positive regional arrangements were recognized, but the seminar was reminded that those arrangements were non-binding and that they relied on the goodwill and cooperation of States for implementation. (See A/CONF.189/PC.2/3.)

Expert Seminar on the Prevention of Ethnic and Racial Conflicts in Africa (Addis Ababa, 4-6 October 2000)

13. The Addis Ababa seminar recognized that historical factors such as the slave trade, colonialism, the arbitrary delimitation of boundaries, and exploitative economic policies continued to have negative effects on the economic and social development of Africa and could create breeding grounds for ethnic and racial conflicts.

14. The seminar noted that ethnic and racial conflicts in Africa originated, among other causes, from systematic and widespread violations of human rights, the absence of democracy, the politicization of race and ethnicity, discrimination against certain members of society, and interference by foreign interests.

15. The seminar agreed that stability and sustainable social and economic development in Africa in the new millennium could be enhanced and strengthened, among other things, by democracy, adherence to the rule of law, a culture of peace and respect for human rights, and the prevention, management and peaceful resolution of ethnocultural and political conflicts. (See A/CONF.189/PC.2/4.)

Expert Seminar on Economic, Social and Legal Measures to Overcome Racial Discrimination, with Particular Reference to Vulnerable Groups (Santiago, 25-27 October 2000)

16. The seminar in Chile urged States in the region to ensure fuller participation for people of African descent, indigenous peoples and other vulnerable groups in political, administrative, economic and cultural institutions. Noting the tendency in some States to negate or minimize the existence of racial discrimination, it urged States in the region to recognize the phenomenon of racial discrimination more clearly so that action could be taken to improve the economic and social condition of victims of racism and xenophobia. Along the same lines, the seminar also recommended that census and other statistical surveys include information about issues such as the economic and social conditions of racial or ethnic groups, in order to have a better understanding of the disadvantages suffered and that those tools be used to generate better targeted government programmes. (See A/CONF.189/PC.2/5.)

B. Regional preparatory conferences

17. To prepare for the World Conference, OHCHR was called upon to help States and regional organizations to convene national and regional meetings. Specialized agencies and the regional commissions, in coordination with OHCHR, were urged by the General Assembly to contribute to the convening of regional preparatory conferences. The High Commissioner assisted in mobilizing funds for the purpose.

18. Four intergovernmental regional preparatory conferences have taken place. They were attended by representatives of Governments, observers representing United Nations specialized agencies and bodies, several special rapporteurs, and representatives from the Subcommission on the Promotion and Protection of Human Rights, human rights treaty bodies, national human rights institutions and non-governmental organizations.

19. The European Commission generously contributed to the holding of the regional preparatory conferences: 776,671 euro ($671,803) for the meeting in Tehran; 681,484 euro ($603,617) for the meeting in Dakar; and 669,839 euro ($593,303) for the meeting in Santiago.

European Preparatory Conference

20. The European Preparatory Conference (Strasbourg, France, 11 to 13 October 2000) concluded with a reaffirmation of Europe's cultural diversity and a call for increased action to combat racism and related discrimination at national and local levels on the continent. In its political declaration, the Conference expressed alarm at the continuing occurrence of racism, including racially motivated violence, contemporary forms of slavery, ethnic cleansing and the support for political parties and organizations disseminating racist and xenophobic ideology in Europe.

21. The European Conference welcomed ethnic, religious, cultural and linguistic diversity in Europe as a source of social vitality which should be embraced, valued and enjoyed by all Europeans. The Conference found that diversity enriches people's lives, ideas, creativity and politics. It is also essential for Europe's economic prosperity and social success, drawing on all available talents. (See A/CONF.189/PC.2/6.)

Preparatory Conference of the Americas

22. The Conference of the Americas (Santiago, Chile, 5-7 December 2000) adopted a comprehensive declaration and plan of action which recognized the victims of racism in the region and the role of prevention. The declaration urged States to adopt remedial measures to combat racial discrimination and intolerance in the region.

23. The Conference was attended by over 1,000 people from almost every country in the Americas, including 39 government delegations, many national institutions and intergovernmental organizations from the region, and several hundred non-governmental organization representatives. The Conference received wide press coverage and public attention.

24. Although it was primarily a meeting of Governments, numerous individuals representing various non-governmental organizations took the floor to address the plenary sessions and to present their hopes for communities and countries free of racism, racial discrimination, xenophobia and related intolerance and their strategies to combat racism in the hemisphere. (See A/CONF.189/PC.2/7.)

African Preparatory Conference

25. The Conference (Dakar, Senegal, 22 to 24 January 2001) was attended by over 500 people. It was chaired by the Foreign Minister of Senegal, Cheikh Tidiane Gadio. In addition to addressing the issue of racism in contemporary Africa, the Conference took stock of the past in order to learn the lessons of history.

26. The Dakar Declaration and Recommendations for a Programme of Action, adopted by the African Governments, placed great emphasis on remembering the African victims of slavery, colonization and apartheid. The Declaration affirmed that the slave trade, particularly of Africans, was a unique tragedy in the history of humanity, a crime against humanity, unparalleled not only because of its abhorrent barbarism but also in terms of its magnitude, its institutionalized nature, its transnational dimension, and especially its negation of the essence of the human nature of the victims. (See A/CONF.189/PC.2/8.)

Asian Preparatory Conference

27. The Asian Preparatory Conference (Tehran, Islamic Republic of Iran, 19-21 February 2001) was attended by representatives of 35 Asian Governments and over 400 observers. The Governments held a dialogue about the source, causes, forms and contemporary manifestations of racism; prevention and remedies; reparation, compensation and humanitarian law; regional and international cooperation; and regional and international instruments.

28. In the Tehran Declaration, the Governments of Asia recognize that the historical, social and cultural contributions of the peoples of Asia, which have always been characterized by respect, tolerance and

mutual understanding, have enriched the world. They also recognize the significance of national and regional particularities and differing historical, social and cultural systems and thus the need to adopt appropriate strategies and policies to combat all acts of racism, racial discrimination, xenophobia and related intolerance.

29. The Governments of Asia reaffirmed that colonization by settlers and foreign occupation constituted sources, causes and forms of racism, racial discrimination and related intolerance. The Declaration and Plan of Action include several provisions on "foreign occupation", Palestinians and the "occupied territories". (See A/CONF.189/PC.2/9.)

C. Information campaign

30. In paragraph 51 of resolution 2000/14 of the Commission on Human Rights, the High Commissioner is requested, in her capacity as Secretary-General of the World Conference, "to continue to intensify the activities already initiated within the framework of the world information campaign with a view to mobilization and support for the objectives of the world information campaign by all sectors of political, economic, social and cultural life, as well as other interested sectors". In that regard, it should be noted that the High Commissioner has taken a number of actions.

31. The High Commissioner initiated in August 2000 the Visionary Declaration, entitled "Tolerance and Diversity: A Vision for the 21st Century". This effort was launched in New York on 5 September 2000 during the United Nations Millennium Assembly by president Thabo Mbeki of South Africa. Former South African President Nelson Mandela is the patron of the Visionary Declaration. The Declaration, which as at 24 February 2001 had been signed by 76 Heads of States/Governments as well as 42 presiding officers of national legislatures, has significantly increased public awareness about combating racism and about the World Conference. During the Summit Conference of the Organization of African Unity in August 2000, the United Nations Millennium Summit (September 2000), the European Preparatory Conference (October 2000), the Regional Conference of the Americas (December 2000) and the African Regional Conference (January 2001), the Asian Regional Conference (February 2001) and on other appropriate occasions, the High Commissioner gave interviews, issued public statements and conducted meetings at the highest levels to update world leaders and the international community at large on the preparations and processes leading up to the World Conference. Information on preparations is also regularly provided and updated on the World Conference web site (www.unhchr.ch).

32. The first issue of the newsletter of the World Conference secretariat, entitled "Durban 2001: United against Racism", was launched by the High Commissioner on 11 December 2000, in commemoration of Human Rights Day. The newsletter intends to provide information about the preparations undertaken for the Conference. It reports on the events held and includes substantive articles on topics relevant to the Conference and related issues, at the international, regional and national levels. The second issue of the newsletter addressed some of the causes, victims and contemporary forms of racism, and the third issue reported on youth. In total, six issues will be published during the preparatory process and they will be sent to all permanent missions, United Nations Development Programme (UNDP) resident representatives and United Nations resident coordinators, United Nations bodies and programmes, national institutions, accredited non-governmental organizations and key media sources.

33. In cooperation with the United Nations Secretariat Department of Public Information, several flyers, brochures and a poster on the Conference were prepared and distributed at the regional seminars, at regional intergovernmental meetings and at the sessions of the Preparatory Committee in Geneva.

34. On 23 October 2000, a special event at the United Nations in New York brought together Goodwill Ambassadors of various United Nations agencies and organizations, including those for the World Conference. Many of the Goodwill Ambassadors have agreed to advance the aims and objectives of the Conference, and the Conference secretariat will maintain constant contact with them. Mr. Seamus Heaney, a Nobel prize winner for literature from Ireland and one of the seven Goodwill Ambassadors for the Conference, informed his colleagues about the Conference at the special event.

35. An ongoing collaboration with the South African Broadcasting Corporation (SABC), Globo of Brazil, CNN and major print and electronic media

organizations has been established. Upon the recommendation of OHCHR, the Department of Public Information has provided scholarships to Globo and SABC to participate in the ongoing World TV Forum in New York, where, again with the collaboration of the Department, activities related to the Conference are being highlighted.

D. Inter-sessional open-ended working group

36. Pursuant to a Preparatory Committee decision, the inter-sessional open-ended working group, chaired by Ambassador Claude Diallo from Senegal (Geneva, 6-9 March 2001), began consideration of the elements for a draft declaration and programme of action for the World Conference, prepared by the Conference secretariat, on the basis of the outcomes of the regional preparatory conferences and the regional seminars.

37. The working group was attended by representatives of States members of the United Nations or specialized agencies and Palestine; by representatives of specialized agencies, United Nations bodies, intergovernmental organizations, other entities, human rights bodies and mechanisms, and non-governmental organizations.

38. The working group continued its work at an informal meeting (Geneva, 7-11 May 2001).

E. Participation of non-governmental organizations

39. The Preparatory Committee in its first session decided that representatives of non-governmental organizations would be invited to participate in the Conference on questions within the scope of their activities. In that regard, it should be noted that the provisional rules of procedure permit non-governmental organizations to participate as of right not only in the Main Committee and Drafting Committee but also in any other committee or working group established.

40. With regard to the accreditation of non-governmental organizations not in consultative status with the Economic and Social Council, the Preparatory Committee adopted a decision by which it gives powers to the Bureau of the Preparatory Committee, in consultation with regional groups, to accredit representatives of such non-governmental organizations during the inter-sessional period, on the understanding that in cases where a Government raises questions regarding accreditation, the decision shall be taken by the Preparatory Committee. This request was made in accordance with Economic and Social Council resolution 1996/31. As at 18 May 2001 550 non-governmental organizations not in consultative status had been accredited to participate in the preparatory process and in the Conference itself.

Regional meetings of non-governmental organizations

41. As of today, the planned cycle of meetings of non-governmental organizations at the regional level in the framework of the Conference is complete. Funding for the meetings was provided by the European Commission. In some instances (e.g., the Santiago meeting), other donors (e.g., the Ford Foundation) also contributed.

42. Three of the four regional meetings (in Santiago, Dakar and Tehran) organized by OHCHR were preceded by a meeting of a regional steering committee — in San Jose, Costa Rica, 1-2 October 2000 for the Americas, hosted by the Inter-American Institute of Human Rights; Dakar, Senegal, 8-10 November 2000, for Africa, hosted by RADDHO; and in Colombo, Sri Lanka, 23-24 October 2000, for Asia/Pacific, hosted by IMADR.

Strasbourg, France, 10-11 October 2000

43. Two hundred and fifty non-governmental organization representatives took part in the meeting in France, and 80 participated in the European regional conference. The meeting was organized by the European Commission against Racism and Intolerance (ECRI), together with the European NGO Steering Committee. The non-governmental organizations produced *Report from the Forum of Non-Governmental Organisations: End Racism Now!*, which includes 116 recommendations. They participated fully in the working groups which met during the regional conference and had a clear impact on the contents of the final governmental document.

Santiago, Chile, 3-4 December 2000

44. One thousand five hundred non-governmental organization representatives from almost every country in the Americas participated in an NGO meeting in Santiago. The meeting was organized by the IDEAS Foundation, working together with a regional non-governmental organization steering committee. The non-governmental organizations produced a declaration and a draft Plan of Action.

Dakar, Senegal, 20-21 January 2001

45. Approximately 125 representatives from 60 non-governmental organizations participated in the meeting in Dakar, which was preceded by a one-day meeting of Senegalese non-governmental organizations. The meeting was organized by Rencontre africaine pour la defense des droits de l'homme (RADDHO), working with an African non-governmental organization steering committee. The non-governmental organizations produced a declaration containing 20 recommendations. Most of the representatives were able to participate in the regional conference for Africa.

46. While the African Governments were not prepared to accept a "fast-track" accreditation, they did permit any non-governmental organization with observer status with the African Commission on Human and Peoples' Rights to be accredited to the Dakar meeting. The non-governmental organizations were able to observe and make statements in plenary, but the drafting committee met in closed session throughout the meeting, except for one hour. At that time, non-governmental organizations were given 10 minutes to present their declaration to the drafting committee.

Tehran, Iran, 17-18 February 2001

47. Approximately 125 representatives from 75 Asian and international non-governmental organizations, and about 50 Iranian non-governmental organization representatives, took part in the meeting forum in Tehran, organized by the International Movement against All Forms of Discrimination and Racism (IMADR) and an Asian steering committee, assisted by a local Iranian non-governmental organization, the Organization for the Defense of Victims of Violence (ODVV). The non-governmental organizations adopted a declaration containing recommendations on gender, caste, indigenous peoples, national minorities, migrants and trafficked persons, and globalization. The organizations then participated in the Asian regional conference and made oral interventions at the plenary.

Networking meetings of non-governmental organizations

48. Regional networking meetings were funded by the United Nations Fund for International Partnerships (UNFIP). Their purpose was to permit the non-governmental organizations to plan for the NGO Forum in Durban and to discuss lobbying strategies in the lead-up to the World Conference.

Warsaw, Poland, 15-18 November 2000

49. There were 115 participants from almost every country in the region. In many cases, participants were new to the United Nations system. The meeting was organized by the Helsinki Foundation for Human Rights in Poland, assisted by a regional steering committee (which held a planning meeting, 16-18 September 2000). The meeting, conducted in Russian and English, produced a detailed account of the discussions, a statement addressed to the World Conference and recommendations for the NGO Forum.

Gaborone, Botswana, 8-13 January 2001

50. Approximately 70 representatives from non-governmental organizations across Africa met to discuss their strategies for Durban and beyond. Work focused on the preparation of a draft declaration, with detailed recommendations for action. The meeting was organized by the Human Rights Centre of the University of Pretoria, with the assistance of the African NGO Steering Committee and Ditshwanelo, the Botswana Centre for Human Rights.

Amman, Jordan, 5-8 February 2001

51. Approximately 50 participants from 30 Asian Arab non-governmental organizations met to discuss their strategies for the Tehran regional meeting and to develop a programme of work leading to the NGO Forum and the World Conference. The meeting was hosted by the Arab Organization for Human Rights (AOHR) in Jordan and held under the patronage of Her Majesty Queen Rania Al-Abdullah. A final statement and a series of recommendations were adopted, covering issues such as the rights of the Palestinian

people, discrimination against women, immigrant workers in the Arab world and in Europe, and sectarian discrimination. The documents were forwarded to the Asian networking meeting held in Kathmandu in April (see para. 53).

Quito, Ecuador, 13-16 March 2001

52. Nearly 500 participants from non-governmental organizations throughout the Americas met and developed a detailed action plan for Durban and beyond. The meeting was organized by the Agencia Latinoamericana de Informacion (ALAI) and Human Rights Internet (HRI), with the assistance of a regional steering committee, and the local co-sponsorship of the Confederacion de Nacionalidades Indigenas de Ecuador (CONAIE). There were several meetings on the margin, including a meeting of approximately 30 Roma from North and South America; a two-day meeting of indigenous women (supported by the International Centre for Human Rights and Democratic Development in Montreal, Canada); the Youth Caucus of the Americas; and a South/South dialogue on sexual diversity. Funding support was provided by the Dutch agency Novib and by the Government of Canada.

Kathmandu, Nepal, 27-29 April 2001

53. Nearly 200 non-governmental organization representatives from Asia met to develop their work plan for Durban and beyond. Substantial efforts went into expanding the NGO documents produced in Tehran (see para. 46) into the Asia/Pacific Declaration and a "Programme of Action". The meeting was organized by the South Asia Forum for Human Rights (SAFHR) and the Informal Sector Service Centre (INSEC), together with the regional non-governmental organization steering committee. It was preceded by a one-day meeting of Nepalese non-governmental organizations under the auspices of the National Preparatory Committee for the World Conference, and approximately 20 Nepalese representatives then joined the regional meeting.

III. Information received from specialized agencies, United Nations bodies and human rights treaty bodies

A. International Labour Organization (ILO)

54. ILO reported that it had provided technical advice to a number of countries in the field of non-discrimination. It had assisted in the drafting of laws on non-discrimination and had provided education and training through national seminars in a number of countries, including Brazil, China, Estonia and Uganda. A subregional training seminar for judges on discrimination issues was held for Eastern Africa in May 2001. A manual on discrimination at work, which will highlight legal requirements and offer strategic guidance for the practical application of Convention No. 111, is under preparation. ILO is undertaking research in several countries on the causes and manifestations of racial, ethnic and gender discrimination in the workplace. It is also reviewing documentation on the impact and effectiveness of equality policies at the national and enterprise level.

55. ILO has a substantive programme on international migration, including provision of policy advice and technical assistance to Governments, activities to enhance the protection of migrants and discourage discrimination, and extensive research and documentation, notably the on-line International Labour Migration Database. In the past year, ILO technical assistance and advice led to significant steps by Costa Rica, Indonesia, Republic of Korea, Spain, Sweden and Tajikistan to adopt policies or enact new legislation strengthening protection and anti-discrimination measures for migrant workers. The work in that field is based on the relevant ILO Conventions, which are for now the only international instruments in force on the subject. Over the past year, pioneering work in documenting and identifying remedies to discrimination in employment against migrant and ethnic minority workers was expanded. New research efforts to identify and disseminate good practice remedies to discrimination have been initiated, including a joint project with the Council of Europe Expert Working Group on Integration. ILO's international migration working paper series, apropos of the World Conference against Racism, is publishing

various papers focusing on discrimination. In order to promote recognition of contributions by migrant workers to their host and home countries, ILO helped to initiate a recommendation adopted last year by the Commission on Human Rights which led to the proclamation of 18 December as International Migrants Day by the United Nations General Assembly.

56. Traditionally, most ILO technical assistance work related to indigenous and tribal peoples has been carried out in Latin America, but in recent years it has expanded into both Africa and Asia. The Danish International Development Agency (DANIDA)-funded Project to Promote ILO Policy on Indigenous and Tribal Peoples aims to promote the application of the principles of Convention No. 169, and works at the policy level, primarily in South and South-East Asia and Africa. The ILO-Interregional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Other Self-Help Organizations (INDISCO) is also active.

57. ILO has established an intersectoral working group on the World Conference and will hold a special briefing session on it at the International Labour Conference in June 2001. In collaboration with OHCHR, ILO organized a panel discussion on problems and solutions as regards racism in the workplace at the second session of the Preparatory Committee and will facilitate a panel on commitments and measures to promote equality and diversity in the private sector and the Global Compact initiative at the Conference itself. ILO supported and participated in the International Workshop on Trade Unions Fighting Racism and Xenophobia, held by the International Confederation of Free Trade Unions (ICFTU) (Aylmer, Canada, 6-9 May 2001).

58. ILO took part in all of the regional preparatory conferences, expert seminars and meetings of the Preparatory Committee. It was pleased that the regional preparatory processes had recognized the importance of combating racism in the workplace. Drawing on the regional outcome documents, ILO submitted a number of concrete recommendations for the draft declaration and programme of action to the secretariat of the World Conference. Reports on the work of ILO in the field of combating racism were made available to the Preparatory Committee, the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights. The most recent report to the Commission outlines specific ILO concerns and suggestions for the World Conference (E/CN.4/2001/22). Joint efforts in the context of the preparatory process have been undertaken with other United Nations agencies, such as a coordinated effort with IOM and UNHCR to ensure that migration issues are adequately covered by the draft declaration and programme of action. An article on combating racism and xenophobia in the world of work has been submitted to the secretariat for publication in the World Conference newsletter.

B. United Nations Population Fund (UNFPA)

59. UNFPA reported that the Programme of Action of the International Conference on Population and Development recognized the fundamental problems faced by indigenous peoples in such areas as human rights, the environment and health. One of its objectives was to ensure protection of migrants, including refugees and internally displaced persons, against racism, ethnocentrism and xenophobia. The need to promote and respect the rights of such peoples was re-emphasized at the five-year review of the International Conference in 1999.

60. In support of those international agreements, UNFPA's contribution to the Third Decade to Combat Racism and Racial Discrimination includes:

(a) Supporting upcoming World Conference against Racism. UNFPA has been participating in the various preparatory activities and has been represented by its country offices at all of the preparatory and regional meetings. UNFPA has informed its staff members on the importance of the Conference by issuing an information note on UNFPA's strategic approach to the Conference;

(b) Promoting the welfare of indigenous peoples by participating in all activities by OHCHR, both in Geneva and in New York. Thus, UNFPA has responded to the requests of the High Commissioner to implement Council resolution 2000/22 of 28 July 2000, regarding the establishment of a permanent forum on indigenous issues. UNFPA has also fully participated in the International Day of the World's Indigenous Peoples on 9-10 August 2000 and is actively involved in the preparation of the current year's event. In addition, UNFPA has been funding special programmes for indigenous peoples, refugees and internally

displaced persons. For instance, in Latin America, UNFPA has been supporting initiatives and programmes to address the special needs of indigenous peoples, by developing quality, culturally sensitive reproductive health information and education programmes and services, with the full participation of indigenous peoples, which respond to their needs and respect their rights.

61. Since 1998, in collaboration with ILO, IOM and UNITAR, UNFPA has supported an international migration policy programme aimed at strengthening the capacity of Governments in various regions to manage migration flows at national and regional levels and to foster cooperation among States for orderly migration and the protection of migrants.

C. Office of the United Nations High Commissioner for Refugees (UNHCR)

62. UNHCR reported that its field offices had been invited to develop activities and policies highlighting the need to combat discrimination, intolerance and xenophobia which affect refugees and asylum-seekers in particular. For example, UNHCR's office in South Africa and the South African Human Rights Commission have launched the "Roll back xenophobia" campaign. The main objective is to sensitize decision makers, the media and civil society at large of the plight and rights of refugees and the contributions that they can make to the host country if they are allowed to become productive. In addition, UNHCR actively cooperates with States in reviewing nationality law and practice for provisions or approaches that might lead to racial discrimination or which reflect xenophobic perceptions.

63. All of these issues were highlighted by Ruud Lubbers, the High Commissioner for Refugees during his appearance at the fifty-seventh session of the Commission on Human Rights in April 2001. Mr. Lubber's speech focused on racism, xenophobia and issues related to UNHCR worldwide and the upcoming Conference.

64. UNHCR actively participated in all of the regional preparatory conferences and expert seminars, calling attention to the issue of refugees and their protection.

65. In cooperation with IOM and ILO, UNHCR prepared a joint statement reflecting the agencies' concerns on refugees, asylum-seekers, migrants and migrant workers, for eventual inclusion in the draft declaration and programme of action of the inter-sessional open-ended working group meeting, held in Geneva from 7 to 11 May 2001 (see paras. 36-38).

D. United National Educational, Scientific and Cultural Organization (UNESCO)

66. In the context of the Third Decade (1993-2003) and particularly of the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance (2001) and the World Conference, UNESCO reported the following activities:

(a) The issue of racism and freedom of expression on the Internet was included on the agenda of the Third International Congress on Ethical, Legal and Societal Challenges of Cyberspace Infoethics 2000 (Paris, 13-15 November 2000);

(b) In the year 2001, proclaimed as the International Year of Mobilization against Racism, the main theme of World Press Freedom Day (3 May 2001) was dedicated to the struggle against racism. A press kit, "Media and racism", was produced in celebration of the Day in Windhoek, Namibia;

(c) Assistance was given to certain expert meetings on the struggle against various aspects of discrimination — for example, the International Conference on Current Anti-Semitism (Paris, 23-24 April 2001);

(d) The international conference "Young Russia Facing Global Challenges on the Eve of the New Millennium: How to Counteract Aggressive Extremism, Xenophobia and Violence among Young People" (Russian Federation, November 2001) paid particular attention to the promotion of the principles of mutual respect and understanding, tolerance, non-violence and improvement of relations between various ethnic, national, religious and linguistic groups;

(e) The role of education in the struggle against racism, racial discrimination, xenophobia and related intolerance was included in the agendas of the three meetings of UNESCO's regional networks for the promotion of tolerance and non-violence in Latin America and the Caribbean (December 2000), Africa (2001) and the Asia/Pacific (2001);

(f) In order to ensure a meaningful follow-up to the World Conference, questions concerning the struggle against racism, racial discrimination, xenophobia and related intolerance, including discrimination against indigenous people, will be included in the agenda of the Regional Conference on Human Rights Education for Latin America and the Caribbean (Mexico City, November-December 2001);

(g) Through the UNESCO associated schools project network, some 6,500 institutions in 166 countries are playing an active role in their communities and countries to contribute to the observance of international years proclaimed by the United Nations. On the occasion of the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, a special calendar was produced and has been distributed through the network worldwide;

(h) A teaching manual on human rights and democracy was produced within the framework of the national project Education for Human Rights and Democracy in Southern Africa, implemented by UNESCO and financed by extrabudgetary funds. One particular section of the manual, entitled "Equal rights for all", elucidates the sources of discrimination in South Africa (xenophobia, racism, ethnic and cultural diversity). It concludes with concrete proposals for educational solutions;

(i) The fifth edition (2001) of the *World Directory of Human Rights Research and Training Institutions* is dedicated to the International Year and the World Conference, and includes a preface clarifying their principal aims. It contains information on about 500 institutions around the world, the majority of them active in the struggle against discrimination. It will be ready before the World Conference;

(j) *A Guide to Human Rights: Institutions, Standards, Procedures*, containing brief information on institutions and mechanisms in the field of human rights, will be published in 2001. It also is dedicated to the World Conference;

(k) *Human Rights: Major International Instruments (Status as at 31 May 2001)*, dedicated to the International Year and the World Conference, will contribute to the universal ratification of international standard-setting instruments, one of the most important objectives of the International Year and the World Conference.

67. In implementing activities aimed at the elimination of racial discrimination, UNESCO works in close cooperation with OHCHR, in conformity with a memorandum of cooperation signed in 1995. A publication comprising articles by eminent human rights specialists on various aspects of racial discrimination and the texts of basic standard-setting instruments against discrimination is being prepared in cooperation with OHCHR. It will be published prior to the Conference and be widely disseminated.

IV. Information received from United Nations human rights treaty bodies

A. Committee on the Rights of the Child

68. Article 2 of the Convention on the Rights of the Child specifically addresses the issue of discrimination against children. Recognizing the fundamental importance of this article, the Committee on the Rights of the Child has identified non-discrimination as one of four general principles for the implementation of the Convention.

69. Since its most recent report to the Economic and Social Council, in June 1999, the Committee has continued to promote non-discrimination against children through its reporting process. The Committee held five sessions during which it considered 42 reports of States parties to the Convention, from Venezuela, the Russian Federation, Vanuatu, Mexico, Mali, Netherlands, India, Sierra Leone, Costa Rica, the former Yugoslav Republic of Macedonia, Armenia, Peru, Grenada, South Africa, Iran, Georgia, Jordan, Norway, Kyrgyzstan, Cambodia, Malta, Suriname, Djibouti, Finland, Burundi, United Kingdom (Isle of Man and overseas territories), Tajikistan, Colombia, Central African Republic, Marshall Islands, Slovakia, Comoros, Latvia, Liechtenstein, Ethiopia, Egypt, Lithuania, Lesotho, Saudi Arabia, Palau and the Dominican Republic.

70. The Committee reviewed the initiatives undertaken by these States to protect children against all forms of discrimination and recommended, inter alia, that they:

(a) Review existing legislation to eliminate all elements of discrimination and to guarantee full consistency with the principles and provisions of the Convention, especially article 2;

(b) Establish relevant legal and administrative mechanisms and institutions, accessible to children, which can provide remedies for them;

(c) Introduce relevant laws, policies and programmes to ensure the rehabilitation for both the victims and perpetrators of extreme acts of discrimination and violence;

(d) Introduce and/or strengthen participatory human rights education and training programmes to change attitudes and behaviours that lead to discrimination against children.

71. In January 2001, the Committee adopted its first general comment on article 29 (1) of the Convention, "The aims of education". The general comment was submitted, as the Committee's contribution, to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

72. Article 29 (1) of the Convention on the Rights of the Child reflects the fundamental purpose of education. It deals with the development of the full potential of the child, including his or her respect for human rights and fundamental freedoms. In paragraph 23 of its general comment, the Committee highlights the direct linkages between article 29 (1) of the Convention and the struggle against racism. It also stresses the importance of education that intentionally challenges all aspects of discrimination and prejudice and promotes an understanding and appreciation of the values reflected in article 29 (1) and echoed in various other provisions of the Convention.

73. Members of the Committee on the Rights of the Child participated in a number activities in preparation for the World Conference against Racism, including the Asia/Pacific Experts Seminar on Migrants and Trafficking of Persons, with Particular Reference to Women and Girls. Further, the Committee participated in the regional preparatory conferences for the Americas and for Africa.

74. The Committee's day of general discussion, held in September 2000, focused on state violence against children. In its recommendations, the Committee urged States to ensure adequate protection for vulnerable groups of children who are the most common victims of the worst forms of mistreatment and abuse, especially children from minority groups, children with disabilities, children living and/or working on the streets and children deprived of a family environment. The Committee expressed regret that much of the violence against these vulnerable groups of children is perpetrated by state agents or is made possible by their approval, tolerance or neglect.

B. Committee on the Elimination of Racial Discrimination

75. Since 1999 several members of the Committee, individually and jointly, prepared background studies on key issues concerning racism and racial discrimination, to feed into the various preparatory meetings and processes. The Committee's comprehensive written contribution (A/CONF.189/PC.1/12), addressing the main themes of the World Conference, is intended to serve as a reference source for the draft declaration and programme of action for the Conference.

76. At its fifty-eighth session in March 2001, the Committee developed a number of targeted written contributions in the form of suggested amendments to the secretariat's draft declaration and programme of action of February 2001. The suggested amendments were discussed in private meetings arranged in March 2001 with the coordinators of the five regional groups, along with the Chairperson of the Bureau of the Preparatory Committee for the World Conference. Among the priority areas highlighted by the Committee were:

(a) The need to reinforce the importance of the International Convention on the Elimination of All Forms of Racial Discrimination for the fulfilment of the World Conference's purposes, including: harmonization of national laws with the Convention; the adoption of action programmes as a long-term mechanism to resolve inequalities; reinforcing the relevance of General recommendation XVII concerning discrimination against the Roma; the consistency of remedies and compensatory mechanisms with article 6 of the Convention, and a variety of measures at the international level focused upon reporting and individual complaints under the Convention and the need to review reservations;

(b) The need for further resources and support and certain procedural innovations to assist the Committee in discharging its functions in the context of conflict prevention and more generally;

(c) The relevance of cognate international conventions concerning the rights of migrants, refugees and minorities, and the establishment of a United Nations inter-agency task force on racism, focusing on mainstreaming a programme of action against racism throughout the United Nations system.

77. During discussions with regional group coordinators in March 2001, the Committee was invited to contribute perspectives on a number of further issues connected with the World Conference.

C. Committee on Economic, Social and Cultural Rights

78. In accordance with Commission on Human Rights resolution 1999/78 of 28 April 1999, the Committee on Economic, Social and Cultural Rights submitted a contribution to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in the form of the Committee's general comments Nos. 11 and 13 on the right to education, including primary education (articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights), pursuant to the Committee's decision at its twenty-first session (15 November to 2 December 1999, Geneva). The introduction to the Committee's contribution is contained in document A/CONF.189/PC.1/14 (29 February 2000). General comments 11 and 13 are contained in documents E/C.12/1999/4 and E/C.12/1999/10, respectively, and will be made available as background documents at the World Conference.

79. Pursuant to Commission on Human Rights resolution 2000/14 of 14 April 2000, the Committee submitted a second contribution (contained in document A/CONF.189/PC.2/16).

80. According to general comment No. 13, education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Similarly, the Committee states that the right to education is one of the vehicles by which the world can rid itself of racism, racial discrimination, xenophobia and related intolerance.

V. Status of the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

81. In its resolution 55/84, the General Assembly recognizes the need for adequate support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. The Assembly also expresses its appreciation to those that have made contributions to the Trust Fund for the Programme of Action for the Third Decade, strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Fund.

82. In the same resolution the General Assembly appeals to Member States to contribute generously to the voluntary fund for the World Conference to cover the preparatory process and the Conference and the participation of non-governmental organizations from developing countries.

83. In its resolution 2001/5, the Commission on Human Rights encourages all States and other entities, including intergovernmental organizations and non-governmental organizations, to contribute generously to the host country trust fund established in the Office of the High Commissioner for Human Rights to finance the activities of the World Conference.

VI. Conclusions

84. The deliberations held during the regional expert seminars, regional preparatory conferences, meetings of non-governmental organizations and sessions of the Preparatory Committee bear witness to the strong support for the holding of the World Conference. States Members of the United Nations, non-governmental organizations and other organizations appear to have already mobilized themselves to provide an impetus to the fight against racism and racial discrimination.

85. With regard to the activities undertaken to combat racism and racial discrimination by United Nations bodies and specialized agencies, information received on such activities by those bodies and agencies reflect concerted efforts to address the issues and provide long-lasting solutions.

86. As requested by the General Assembly, at its second session the Preparatory Committee for the World Conference will draft a declaration and programme of action that will be presented at the World Conference for final negotiation. It is expected that the final document resulting from the Conference will strengthen the objectives of the Third Decade against Racism and will help to prepare the fourth decade by providing new ideas on practical measures to combat racism, racial discrimination, xenophobia and related intolerance.

Annex

Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

A. Contributions received from May 2000 to May 2001

Country	*Amount (United States dollars)*	*Paid on*
Algeria	5 000	29 November 2000
Japan	17 000	9 June 2000
Total	**22 000**	

B. Contributions, 1999-2001

(United States dollars)

Donor	1999	2000	2001	Total	Reallocations[a]	Total
European Commission		2 613 859		2 613 859		2 613 859
UNF/UNFIP		1 260 000		1 260 000		1 260 000
Carnegie Corporation			500 000	500 000		500 000
Ford Foundation		500 000		500 000		500 000
Rockefeller Foundation		400 000		400 000		400 000
Norway	63 815	275 719		339 534	25 279	364 813
Denmark	205 303	67 662		272 965		272 965
Ireland		122 348	123 498	245 846	14 628	260 474
Luxembourg		250 000		250 000		250 000
United States		250 000		250 000		250 000
France	81 785	86 871		168 656	60 486	229 142
Germany	39 045	120 249		159 294	67 913	227 207
Spain		166 555		166 555		166 555
Sweden	24 584	109 073		133 657	31 101	164 758
United Kingdom		134 623		134 623	24 223	158 846
Italy		150 000		150 000		150 000
Finland	29 429	63 255		92 684	43 196	135 880
Belgium		103 586		103 586	18 285	121 871
Netherlands		115 998		115 998		115 998
Austria				0	63 291	63 291
Japan				0	63 291	63 291
Switzerland		60 976		60 976		60 976
Canada				0	32 892	32 892
South Africa		19 104		19 104		19 104
Czech Republic		14 205		14 205		14 205
Estonia		11 056		11 056		11 056
Israel	5 000	5 000		10 000		10 000
Monaco			10 000	10 000		10 000
Poland	5 000	5 000		10 000		10 000
Turkey		10 000		10 000		10 000
Australia				0	7 122	7 122
China				0	6 962	6 962
Kuwait				0	6 372	6 372
New Zealand				0	5 222	5 222
Latvia		5 000		5 000		5 000
Liechtenstein			1 000	1 000	2 213	3 213

Donor	*1999*	*2000*	*2001*	*Total*	*Reallocations*[a]	*Total*
Mauritius				**0**	**3 165**	**3 165**
Morocco				**0**	**3 152**	**3 152**
Slovakia			3 000	**3 000**		**3 000**
Cuba	**875**		1 000	**1 875**		**1 875**
Malta			1 500	**1 500**		**1 500**
Total	**454 836**	**6 920 139**	**639 998**	**8 014 973**	**478 793**	**8 493 766**

[a] **Reallocations of balance from the World Conference for Human Rights to the World Conference against Racism.**